



WASHINGTON STATE DEPARTMENT OF
Natural Resources

HABITAT CONSERVATION

PLAN for Washington's

State-owned Aquatic Lands

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Number 1

Aquatic Lands Facts

Washington DNR manages 2.4 million acres of aquatic lands.

Over 3,000 businesses and governments have leases for structures and activities on Washington DNR's aquatic lands.

Before 1971 the state sold aquatic lands.

Washington DNR sold around 2.1 million pounds of geoduck from state-owned aquatic lands in 2004.

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Washington DNR Begins Planning for Endangered Species on Aquatic Lands

Washington DNR is in the first phase of a five-year planning process to develop a state-wide, multi-species Habitat Conservation Plan for state-owned aquatic lands. Through compliance with the federal Endangered Species Act, and consistent with the provisions of the state Aquatic Lands statutes, DNR will contribute to professional, forward-looking stewardship of state-owned aquatic lands, aquatic resources, and aquatic environments.



Crab in eelgrass. DNR photo.

The first phase of DNR's planning process is to gather information on how DNR's management activities may affect plant and animal species of interest and their habitats. In subsequent phases, DNR will draft a long-term, workable plan that will ensure that its management of state-owned aquatic lands is in compliance with the Endangered Species Act. The objectives of this plan will be that Washington DNR manages habitats in a way that contributes to reducing the risk of species extinction and that contributes to species recovery; protects the long-term interest of the public and state as landowner; and minimizes state financial and legal liability.

Washington DNR will be asking interested members of the public, other government agencies, tribal governments, and the scientific community for input and to participate in reviewing the plan. The plan will be finalized and implemented after DNR considers the results of this review. Adaptive Management will be a part of the Plan, which will ensure that the results of monitoring are used to adjust DNR's activities on state-owned aquatic lands to ensure continued protection of at-risk species.

Why Washington DNR is writing a Habitat Conservation Plan



Washington DNR manages over 2.4 million acres of submerged lands in marine, estuarine and freshwater habitats and authorizes uses on those aquatic lands that can potentially harm listed species or alter their habitat. By developing a Habitat Conservation Plan, which is an agreement between the federal government and Washington DNR, we commit to managing state-owned aquatic land habitats in a way that

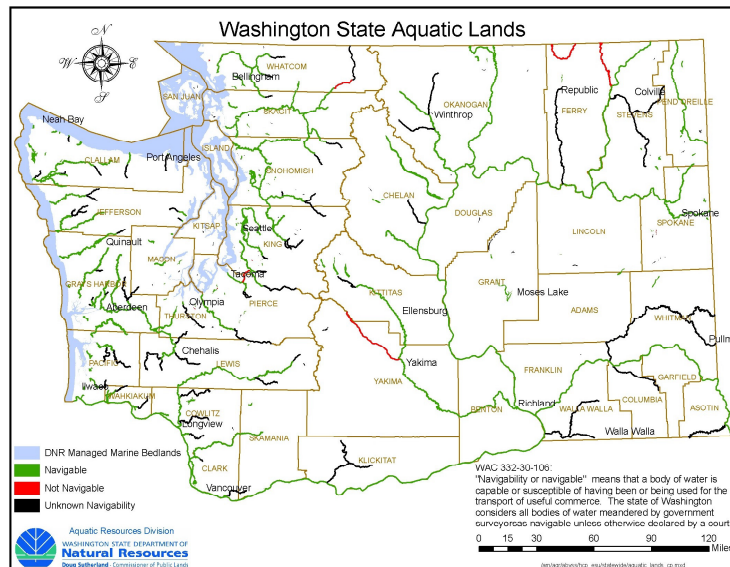
contributes to species recovery while minimizing the state's financial and legal liability under the Endangered Species Act.

Where are state-owned aquatic lands?

The 2.4 million acres of aquatic lands that DNR manages include:

- 2.2 million acres under marine, estuarine and tidal waters
- 150,000 acres under navigable lakes and rivers
- Over 12,000 acres of aquatic lands which are encumbered by 3,000 leases and easements

State ownership is defined as those lands "...capable or susceptible of having been or being used for the transport of commerce..." (WAC 332-30-106). At statehood, the state retained ownership of aquatic lands, but from 1889 to the 1950s, the state often sold tidelands and shorelands to private landowners to encourage economic development and support state government. In the late 1950s, leasing aquatic lands became more common in order to generate a long-term stream of revenue. In 1971 the Legislature eliminated the sale of tidelands and shorelands except to public entities. Today, approximately 29% of Washington state's original tidelands and 74% of the state's original shorelands remain in public ownership. With minor exceptions, all of the bedlands remain in public ownership.



Who will be affected by the HCP?

About 3000 businesses, individuals and government agencies have leases for state-owned aquatic lands. These leases encumber approximately 12,000 acres of aquatic lands. These leases are for uses such as

- parks
- marinas
- utility crossings
- commercial clam and oyster production
- commercial geoduck harvesting
- mooring buoys
- outfalls
- overwater structures, such as docks and piers
- ferry terminals, and many others.

Beyond those entities with leases, millions of people visit state-owned aquatic lands each year, mostly for recreational activities.

What species are being studied?

ESA Team scientists began by looking at 964 plant and animal species considered at risk in Washington and have narrowed the list to 86 species based on the following:

- Occurrence of the species on state-owned aquatic lands
- Probability of the species being listed as at-risk
- Degree of species dependence on state-owned aquatic lands
- Vulnerability of the species to impacts from DNR-authorized activities
- Critical benefit to the species from coverage under this HCP



Cascades frog. Photo courtesy of Washington Fish & Wildlife

Although there are too many species to completely list, some of the species being analyzed are: Columbia spotted frog, Harlequin duck, Leopard dace, Orca whale, Water howellia, Bald eagle, Canary rockfish, Lynn's clubtail dragonfly, western snowy plover, western pond turtle, bull trout, tufted puffin, steelhead, common murre, and many others. For the complete list, go to the project website at:

http://www.dnr.wa.gov/htdocs/aqr/esa/dnrmged_research.html and click on "species" in the second paragraph.

The potential effects of DNR-authorized activities on these plant and animal species and their habitats are being examined in detail. Because of the large scope of this project, DNR has hired an environmental consulting firm to assist it in creating an "Effects Analysis" that will quantify the magnitude of leasing activities on habitats and species. Washington DNR will also be developing activity-specific best management practices (BMPs) and a comprehensive monitoring strategy for the Habitat Conservation Plan.

Featured Species—PINTO ABALONE

The Pinto Abalone, *Haliotis kamtschatkana*, is one of the at-risk animal species that occurs on state-owned aquatic lands. It is currently considered to be a Federal Species of Concern, a State Candidate Species, and is ranked as Rare globally and within Washington by the Natural Heritage Program. Named because of its mottled shell, this species occurs from California to Alaska from the lower intertidal zone down to 100 meters in depth. Adults range over only a few hundred meters during their life span and can live up to 50 years. The Pinto Abalone is the smallest abalone and grows to only 6 inches in length. Activities authorized by Washington DNR that affect



habitats and water quality in the nearshore ecosystem might also affect the Pinto Abalone. These activities include shoreline armoring, over water structures, dredging, and storm water discharge. The Pinto Abalone's natural predators include octopus, sunflower stars, wolf eels, and sea otters. Abalone was a traditional food of Native Americans who also used the abalone's beautiful, iridescent shells for buttons and beads.

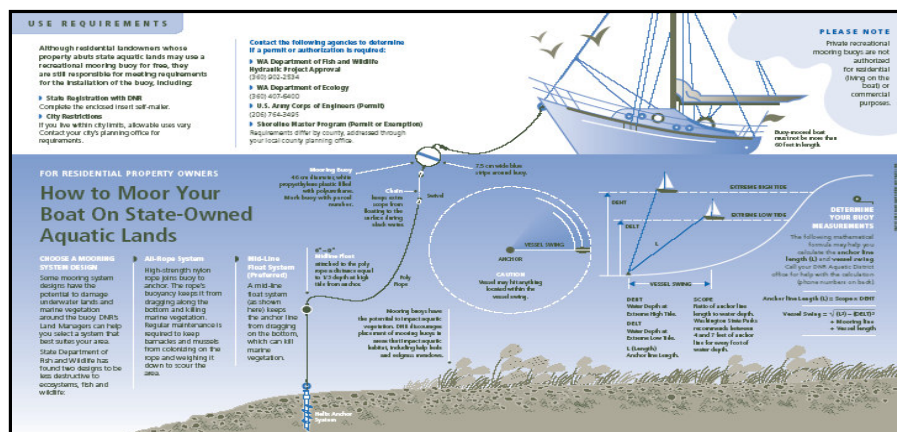
Featured Land Use—MOORING BUOYS

Commercial buoys are used by vessels greater than 60 ft in length or used in commercial activities. Companies using these buoys must have a lease from DNR and are charged rent. Recreational buoys, used by smaller recreational boats, are rent-free, but owners are asked to register with DNR. Mooring buoys have the potential to impact sediments and aquatic vegetation, either by directly disturbing the bottom or by attached vessels shading submerged vegetation. Release of sewage or gray water from vessels can lead to shellfish closure zones and smothering of benthic faunal communities. DNR discourages mooring buoys in areas where kelp beds and eelgrass meadows exist. Flyover data from 1996 indicate that there are roughly 6,000 – 8,000 mooring buoys in western Washington. DNR is working to register buoys and inform owners about mooring buoy systems that minimize impacts to submerged lands.

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We're on the Web!
www.dnr.wa.gov/htdocs/aqr/esa/index.html

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Washington DNR's Recreational Mooring Buoy pamphlet and registration form are available from Washington DNR Aquatic Resources.

How to stay informed

Washington DNR is committed to making sure that leaseholders, stakeholders, tribes, and the general public have opportunities to participate in this far-reaching project. Click on the Agency's website (<http://www.dnr.wa.gov/htdocs/aqr/esa/index.html>) for information about Washington DNR's Aquatic Resources Habitat Conservation Plan and the species under consideration, papers describing the activities authorized on state-owned aquatic lands, and a copy of this newsletter. You can contact members of the ESA Team by e-mail at aquaticsesa@wadnr.gov and you can reach the ESA Team by telephone at (360) 902-1100. Beginning in the summer of 2005 and extending throughout 2006, ESA Team members will be meeting with the wide variety of interest groups who would like to be involved in the development of DNR's Aquatic Habitat Conservation Plan.